

FILED

MAY - 2 2025

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

AT 8:30 M
CLERK, U.S. DISTRICT COURT - DNJ

UNITED STATES OF AMERICA : Hon. J. Brendan Day
:
v. : Mag. No. 25-5018 (JBD)
:
JOSE OHENO HERNANDEZ GARDAME : **CRIMINAL COMPLAINT**

I, Christopher Kanauss, being duly sworn, state that the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

I further state that I am a Deportation Officer with the United States Department of Homeland Security, Immigration and Customs Enforcement, and that this complaint is based on the following facts:

SEE ATTACHMENT B


continued on the attached pages and made a part hereof.

/s/ Christopher M. Kanauss
Christopher Kanauss
Deportation Officer
United States Department of
Homeland Security, Immigration
and Customs Enforcement

Attested to me by telephone, pursuant to FRCP 4.1(b)(2)(A),

May 2, 2025
Date

Honorable J. Brendan Day
United States Magistrate Judge
Name & Title of Judicial Officer

District of New Jersey

Signature of Judicial Officer

ATTACHMENT A

(Illegal Reentry to the United States)

On or after March 20, 2009, and on or before April 22, 2025, in Mercer County, in the District of New Jersey, and elsewhere, the defendant,

JOSE OHENO HERNANDEZ GARDAME,

an alien who had been deported and removed and had departed the United States while an order of deportation and removal was outstanding, without the express consent of the Secretary of Homeland Security or the Attorney General of the United States to reapply for admission prior to his reembarkation at a place outside the United States, did knowingly and voluntarily enter and, on or about April 22, 2025, was found in the United States.

In violation of Title 8, United States Code, Section 1326(a).

ATTACHMENT B

I, Christopher Kanauss, am a Deportation Officer with the United States Department of Homeland Security, Immigration and Customs Enforcement (“ICE”). I am fully familiar with the facts set forth herein based on my own investigation, my conversations with other law enforcement officers, and my review of reports, documents, and items of evidence. Because this Affidavit is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. Where the contents of documents and the actions and statements of others are reported herein, they are reported in substance and in part, except where otherwise indicated. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

1. At all times relevant to this Complaint, the defendant, JOSE OHENO HERNANDEZ GARDAME, (“HERNANDEZ GARDAME”), was a native and citizen of Honduras, and was not a citizen of the United States.

2. On or about February 24, 2009, an immigration judge ordered HERNANDEZ GARDAME removed from the United States to Honduras pursuant to Section 212(a)(6)(A)(i) of the Immigration and Nationality Act (the “February 2009 Order of Removal”). On or about March 20, 2009, HERNANDEZ GARDAME was removed from the United States to Honduras pursuant to the February 2009 Order of Removal.

3. Thereafter, HERNANDEZ GARDAME reentered the United States without permission on an unknown date at an unknown location.

4. On or about April 22, 2025, HERNANDEZ GARDAME was found in the United States by ICE officers after his arrest in the District of New Jersey by officers with the Hamilton Township Police Division.

5. A fingerprint analysis revealed that HERNANDEZ GARDAME is the same individual who was removed from the United States to Honduras as set forth in paragraph 2, above, and who was found in the United States by ICE officers as set forth in paragraph 4, above.

6. A review of the relevant databases revealed that neither the Secretary of Homeland Security nor the Attorney General of the United States expressly consented to HERNANDEZ GARDAME reapplying for admission to the United States prior to his reembarkation at a place outside the United States or his entry into the United States.